

E-filed 5/7/07

1 MICHAEL W. STEBBINS (State Bar No. 138326)

2 mstebbins@be-law.com

3 BERGESON, LLP

303 Almaden Boulevard, Suite 500

San Jose, CA 95110

4 Telephone: (408) 291-6200

5 Facsimile: (408) 297-6000

6 JAIPAT SINGH JAIN (New York State Bar No. 3898533) (*pro hac vice*)

jjain@lpgk.com

7 LAZARE POTTER GIACOVAS & KRANJAC LLP

950 Third Avenue

8 New York, NY 10022

9 Telephone: (212) 758-9300

Facsimile: (212) 888-0919

10 Attorneys for Plaintiff TCGivega Technologies Pvt. Ltd.

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
SAN JOSE DIVISION

14 TCGIVEGA INFORMATION
15 TECHNOLOGIES PVT. LTD.,

16 Plaintiff,

17 v.

18 KARNA GLOBAL TECHNOLOGIES, INC.;
19 KANNAN R. AYYAR; JNANA R. DASH
20 AKA JNAN DASH; AND GREGORY D.
HAWKINS,

21 Defendants.
22

CASE NO. CV-05-05222 JF/HRL

**STIPULATION AND [PROPOSED]
ORDER FURTHER EXTENDING
CERTAIN PRE-TRIAL DEADLINES**

23
24 The parties, by and through their respective counsel, hereby agree and stipulate, and jointly
25 request that the Court enter this stipulation as an Order of the Court, as follows:

26 **STIPULATION**

27 1. Plaintiff served written discovery on Defendants in October 2006. After an
28

1 extension of time, Defendants' served responses, consisting almost entirely of objections, on
2 December 11, 2006. Defendants' first produced certain responsive documents on January 22,
3 2007, only after the Court entered a Protective Order Governing Confidential Information on
4 January 18, 2007.

5 2. The parties met and conferred about the Defendants' discovery responses
6 throughout January and February 2007. This process culminated in two lengthy telephone calls in
7 early March 2007, wherein Defendants agreed to produce additional documents and supplemental
8 responses to Plaintiff's interrogatories and document requests within the month. To date, none of
9 the supplemental responses and only a handful of additional documents have been produced.

10 3. In mid-March 2007, the parties ostensibly attempted to reach a settlement.
11 However, those efforts have reached an impasse.

12 4. There have been two previous extensions of the pre-trial deadlines: (1) Stipulation
13 and Order re: Non-Expert Discovery, Disclosure of Expert Witness, Expert Discovery and Hearing
14 on Dispositive Motions, entered on November 29, 2007; and (2) Stipulation and Order Extending
15 Pre-Trial Deadlines, entered on February 5, 2007.

16 5. Given the existing pre-trial schedule and prior extensions, Plaintiff has attempted to
17 keep discovery moving. As a condition to forbear from filing a motion to compel depositions and
18 further discovery responses, Plaintiff required that Defendants agree to execute this Stipulation.
19 Plaintiff has also required that Defendants agree to stipulate and/or jointly request that any such
20 motion to compel be heard on shortened time.

21 6. Plaintiff will continue to work diligently to obtain the promised written discovery
22 and take depositions as soon as possible; however, given the existing deadlines, it appears that an
23 additional extension of time is necessary. In an attempt to maintain the present schedule as much
24 as possible, the parties propose a 7 week extension of the discovery cutoff, a 3 week extension to
25 the cutoff for expert discovery and no extension to the date for filing dispositive motions..

26 7. Based on the foregoing, the parties submit that good cause exists to extend the
27 current pre-trial deadlines and therefore stipulate and agree, and request that the Court order the
28 following:

(a) The cut-off date for non-expert discovery and disclosure of expert witnesses is hereby moved from June 15, 2007 to August 3, 2007 [or _____];

(b) The cut-off date to complete expert discovery is hereby moved from July 20, 2007 to August 24, 2007 [or _____];

(c) The last day for hearing dispositive motions remains September 28, 2007.

IT IS SO STIPULATED.

Dated: May __, 2007

THE CHUGH FIRM, APC

By: /s/ Antoinette McGill
Antoinette McGill, Esq.

Attorneys for Defendants
JNANA R. DASH, GREGORY D. HAWKINS,
KARNA GLOBAL TECHNOLOGIES, INC., and
KANNAN R. AYYAR

Dated: May __, 2007

BERGESON, LLP

By: /s/ Michael W. Stebbins
Michael W. Stebbins, Esq.

Attorneys for Plaintiff
TCGIVEGA INFORMATION TECHNOLOGIES
PVT. LTD.


I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

ORDER

In accordance with the foregoing stipulation of the parties, and with good cause appearing therefor, the Court enters the Stipulation as an Order of the Court.

IT IS SO ORDERED.

Dated: 5/7, 2007


UNITED STATES DISTRICT COURT JUDGE
JEREMY FOGEL

1 (a) The cut-off date for non-expert discovery and disclosure of expert witnesses is
2 hereby moved from June 15, 2007 to August 3, 2007 [or _____];

3 (b) The cut-off date to complete expert discovery is hereby moved from July 20, 2007
4 to August 24, 2007 [or _____];

5 (c) The last day for hearing dispositive motions remains September 28, 2007.

6 IT IS SO STIPULATED.

7 Dated: May 2, 2007

THE CHUGH FIRM, APC

By: _____

Antoinette McGill, Esq.

Attorneys for Defendants

JNANA R. DASH, GREGORY D. HAWKINS,
KARNA GLOBAL TECHNOLOGIES, INC., and
KANNAN R. AYYAR

BERGESON, LLP

By: _____

Michael W. Stebbins, Esq.

Attorneys for Plaintiff

TC/HIVEGA INFORMATION TECHNOLOGIES
PVT. LTD.

17 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
18 "conformed" signature (/s/) within this efiled document.
19

20 **ORDER**

21 In accordance with the foregoing stipulation of the parties, and with good cause appearing
22 therefor, the Court enters the Stipulation as an Order of the Court.

23 IT IS SO ORDERED.

24
25 Dated: _____, 2007

UNITED STATES DISTRICT COURT JUDGE

1 (a) The cut-off date for non-expert discovery and disclosure of expert witnesses is
2 hereby moved from June 15, 2007 to August 3, 2007 [or _____];

3 (b) The cut-off date to complete expert discovery is hereby moved from July 20, 2007
4 to August 24, 2007 [or _____];

5 (c) The last day for hearing dispositive motions remains September 28, 2007.

6 IT IS SO STIPULATED.

7 Dated: May __, 2007

THE CHUGH FIRM, APC

8 By _____
9 Antoinette McGill, Esq.

10 Attorneys for Defendants
11 JNANA R. DASH, GREGORY D. HAWKINS,
12 KARNA GLOBAL TECHNOLOGIES, INC., and
13 KANNAN R. AYYAR

14 Dated: May 3, 2007

BERGESON, LLP

15 By 
16 Michael W. Stebbins, Esq.

17 Attorneys for Plaintiff
18 TCGIVEGA INFORMATION TECHNOLOGIES
19 PVT. LTD.

20 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
21 "conformed" signature (/s/) within this efiled document.

22 **ORDER**

23 In accordance with the foregoing stipulation of the parties, and with good cause appearing
24 therefor, the Court enters the Stipulation as an Order of the Court.

25 IT IS SO ORDERED.

26 Dated: _____, 2007

UNITED STATES DISTRICT COURT JUDGE